

1 BARRY J. PORTMAN  
Federal Public Defender  
2 STEVEN J. KOENINGER  
Assistant Federal Public Defender  
3 19th Floor Federal Building – Box 36106  
450 Golden Gate Avenue  
4 San Francisco, CA 94102  
Telephone: (415) 436-7700  
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6 Counsel for Defendant NUNN  
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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-07-0103 WHA
	)	
12 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER SETTING APPEARANCE AND
13 vs.	)	STAYING BRIEFING SCHEDULE
	)	
14 DONIEL NUNN,	)	
	)	
15 Defendant.	)	
_____	)	
16		

17 On April 17, 2007, the parties appeared before this Court for a status conference. During  
18 that appearance, the Court set a briefing schedule with respect to a motion to suppress to be filed  
19 by Defendant. The Court ordered the following schedule: Defendant's opening motion to be  
20 filed by May 1, 2007; the government's opposition to be filed by May 15, 2007; Defendant's  
21 reply briefing to be filed by May 22, 2007.

22 Since their last appearance before this Court, the parties have reached a plea agreement in  
23 this case. In view of the plea agreement, the parties respectfully request that the Court set this  
24 case for status conference and/or change of plea and stay the briefing schedule with respect to  
25 Defendant's motion to suppress.

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Accordingly, the parties hereby stipulate as follows:

1. The case shall be calendared for a status conference and/or change of plea on May 1, 2007 at 2:00 p.m., or the next available criminal calendar of the Court.
2. The briefing schedule with respect to Defendant's motion to suppress shall be stayed in view of the parties' plea agreement in this matter.

IT IS SO STIPULATED.

DATED: April 26, 2007

/S/  
ANDREW P. CAPUTO  
Assistant United States Attorney

DATED: April 26, 2007

/S/  
STEVEN J. KOENINGER  
Attorney for DONIEL NUNN

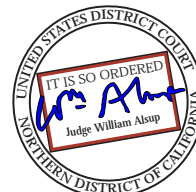
I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.

**~~PROPOSED~~ ORDER**

Pursuant to the parties' Stipulation and for the reasons set forth above, the matter shall be set for a status conference and/or change of plea on May 1, 2007 at 2:00 p.m. or the next available criminal calendar of this Court. Furthermore, the briefing schedule with respect to Defendant's motion to suppress shall be stayed in view of the parties' plea agreement.

**IT IS SO ORDERED.**

DATED: April 26, 2007



WILLIAM H. ALSUP  
United States District Judge